

BRANDON N. ADKINS
U.S. Department of Justice
Environmental Defense Section
P.O. Box 7611
Washington, D.C. 20044
Tel: (202) 616-9174
Fax: (202) 514-8865
Email: brandon.adkins@usdoj.gov

Counsel for Defendant

Additional counsel listed in signature page

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CENTER FOR BIOLOGICAL DIVERSITY
and SIERRA CLUB,

Plaintiffs,

ANDREW R. WHEELER, in his official capacity as Administrator, United States Environmental Protection Agency,

Defendant.

Case No. 3:19-cv-02462 RS

**STIPULATION AND [PROPOSED]-
ORDER REGARDING SUMMARY
JUDGMENT BRIEFING SCHEDULE**

Date: December 19, 2019

Time: 1:30 p.m.

Location: Courtroom 3, 17th Floor

1 Plaintiffs and Defendant Andrew R. Wheeler, in his official capacity as Administrator of
2 the United States Environmental Protection Agency (“EPA,” and together, “the Parties”), stipulate
3 as follows:

4 WHEREAS, on September 12, 2019, following an initial case management conference, the
5 Court issued an Initial Case Management Order (ECF No. 24), which set a hearing on motion(s)
6 for summary judgment on December 19, 2019, at 1:30 p.m.

7 WHEREAS, the Initial Case Management Order required that all briefing on summary
8 judgment motions be completed by December 5, 2019, and invited the Parties to stipulate to
9 additional briefing deadlines to the extent those deadlines do not conflict with the deadlines set in
10 the Order.

11 WHEREAS, Plaintiffs anticipate filing a motion for summary judgment, and EPA may file
12 a cross-motion for summary judgment together with any opposition to Plaintiffs’ motion for
13 summary judgment.

14 WHEREAS, counsel for the Parties have met and conferred and reached agreement
15 regarding additional briefing deadlines.

16 **NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by and among
17 the Parties, that motions for summary judgment will be filed according to the following deadlines:

18 1. Plaintiffs’ Motion for Summary Judgment shall be filed by **September 19, 2019**;
19 2. EPA’s Opposition to Plaintiffs’ Motion for Summary Judgment and, if appropriate,
20 Cross-Motion for Summary Judgment shall be filed by **November 4, 2019**;
21 3. Plaintiffs’ Reply in Support of Plaintiffs’ Motion for Summary Judgment and, if
22 appropriate, Opposition to EPA’s Cross-Motion for Summary Judgment shall be filed by
23 **November 22, 2019**; and

4. EPA's Reply in Support of EPA's Cross-Motion for Summary Judgment, if appropriate, shall be filed by **December 5, 2019**.

Respectfully Submitted,

Dated: September 17, 2019

/s/ Brandon N. Adkins

Brandon N. Adkins
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 7611
Washington, D.C. 20044
Tel: (202) 616-9174
Fax: (202) 514-8865
Email: brandon.adkins@usdoj.gov

Counsel for Defendant

Dated: September 17, 2019

/s/ Seth L. Johnson (with permission)

Seth L. Johnson, *Pro Hac Vice*
Isabel Segarra Trevino, *Pro Hac Vice*
Earthjustice
1625 Massachusetts Ave., NW, Ste. 700
Washington, DC 20036
sjohnson@earthjustice.org
isegarra@earthjustice.org
Tel: 202-667-4500/Fax: 202-667-2356

Paul R. Cort, State Bar No. 184336
Earthjustice
50 California Street
San Francisco, CA 94111
pcort@earthjustice.org
Tel: 415-217-2000/Fax: 415-217-2040

Counsel for Plaintiffs

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED this 17th day of September, 2019.

RICHARD SEEBORG
United States District Judge